

PROCEDURES FOR USING AIR FORCE REGIONAL ENERGY SAVINGS PERFORMANCE CONTRACTS (RESPC) AND ASSOCIATED TASK ORDERS

July 2000

The Air Force Civil Engineer Support Agency (AFCESA) has assisted six Regional Contracting Offices award six Air Force RESPCs. These six contracts afford Air Force activities in all 50 states and some overseas areas access to an Air Force RESPC. (Map Attachment 1)

AFCESA is the gatekeeper for a base wanting to participate in a RESPC. The Regional Contracting Officer (RCO) will delegate ordering authority to other contracting offices within their region after AFCESA has approved the base's participation. Following the procedures below is required to obtain and keep the authority to use an Air Force RESPC. These procedures are applicable for initial acceptance into a RESPC and the issuance of every task order under that ESPC.

NOTE: The agreement between the RCO and AFCESA/CESM is that AFCESA will handle as much of the interface/questions with the other installations as possible. This is to reduce the overhead/workload on the RCO. Please contact the AFCESA/CESM POCs listed below before contacting the RCO. Direct mailing of certain documentation to the RCO is indicated to facilitate and speed the process of getting work done, not to put additional work on the regional office.

WHO

Installation Contracting Officer
and Civil Engineer

WHAT

The first step to accessing a RESPC is for the contracting office to forward a request (coordinated with the Base Civil Engineer and Contracting Squadron Commander) to HQ AFCESA/CESM, 139 Barnes Drive Suite 1, Tyndall AFB FL, 32403-5319. The request should indicate interest in using the Air Force RESPC and request a delegation of ordering authority for the designated contracting officer(s) (Sample – Attachment 2). Request should include the civil engineer and contracting POCs and their alternates. Within base civil engineers the primary POC is typically the Base Energy Manager, the alternate may be anyone familiar with ESPC concepts and policies. The primary and alternate contracting POCs should be the contracting officer(s) (CO) and the buyer/administrator responsible for issuing and administering RESPC task orders for the base. The CO must have a warrant sufficient enough to sign task orders. It is advisable to request ordering authority for two CO personnel. For each person identified, the request should provide address, phone number (DSN and Commercial), Fax number, e-mail address and dates and method by which they received ESPC training.

HQ AFCESA/CESM

Schedule and conduct ESPC training for installation contracting and engineering personnel (if training has not been previously received, i.e. training by satellite conducted by AFCESA). After training is complete, send memorandum to Regional Contracting Officer (RCO) advising that personnel have been trained in ESPC concepts. This memorandum shall identify the contracting Officer(s) that should be delegated ordering authority.

Regional Contracting Officer	Send memorandum delegating ordering authority (Sample Attachment 3) to the requesting installation contracting office with a copy to AFCESA/CESM. A copy of these procedures will be provided with each letter of delegation.
Installation Contracting Officer	Signs letter accepting delegation of ordering authority and returns to RCO. A copy of the letter is faxed to AFCESA/CESM, DSN 523-6219.
HQ AFCESA/CESM	Records acceptance of delegation.
Installation Contracting Officer	<p>Once the delegation of ordering authority has been accepted and returned to the RCO the contracting officer may invite the ESCO to the base for a kick-off meeting to discuss the base's requirements. At this initial meeting, or at a future date, the contracting officer may direct the ESCO, by letter, to perform a Phase I – Preliminary Site Survey. Applicable wage decisions (wage rates) should be an attachment to this letter. The CO will provide AFCESA/CESM a copy of all letters directing Phase I work. Do not proceed to Phase II until receipt of AFCESA approval.</p> <p>NOTE: AFCESA/CESM is responsible for assuring the Requesting Installation Contracting Officer signs delegation and answering all questions related to getting the ESCO started.</p>
ESCO	Conduct a preliminary site survey and deliver four (4) copies of the Phase I Report to the installation's contracting officer and provide one (1) copy to AFCESA/CESM. The Phase I Report shall only address those buildings/facilities authorized by the CO for a Phase I study.
AFCESA/CESM and Installation contracting and engineering	<p>Review and discuss each Phase I Report. After the civil engineers review and approve the Phase I report, the contracting officer will request approval from AFCESA/CESM to proceed to Phase II and that AFCESA assign a task order tracking number.</p> <p>NOTE: AFCESA/CESM will review all Phase I Reports and provide the results to the contracting officer and civil engineer. The review will only be cursory unless the base (CO or CE) requests a detailed analysis of the report.</p>
HQ AFCESA/CESM	Notify RCO of potential investment for the task order. In coordination with the RCO, determine if there is sufficient contract capacity to permit the base to proceed to Phase II. Notify requesting installation contracting officer of whether contract capacity is available or not available, assign the task order tracking number and authorize the base to proceed to Phase II.
Installation Contracting Officer	Once authorized to proceed to Phase II, direct the ESCO in writing to perform Phase II – Facility Energy Audit and Economic Analysis. (Updated wage decisions should be an attachment to the letter directing the ESCO to initiate Phase II work.) Provide AFCESA/CESM a copy of all letters directing Phase II work. Do not direct the ESCO to proceed with Phase II until informed that contract capacity exists and a tracking

number is assigned by AFCESA/CESM.

NOTE: If a Phase I is determined unnecessary, provide a letter of request to AFCESA/CESM outlining project scope and estimated dollar investment required, and requesting assignment of a tracking number and authorization to go directly to Phase II. Do not proceed to Phase II until authorization is granted.

ESCO

Conduct a facility energy audit and economic analysis and deliver four (4) copies of the Phase II Report to the installation's contracting officer and one (1) copy to AFCESA/CESM.

Installation contracting and engineering

Review the Phase II report, discuss and negotiate changes as necessary. NOTE: AFCESA/CESM will review all Phase II Reports and provide the results to the contracting officer and civil engineer. The review will only be cursory unless the base (CO or CE) requests a detailed analysis. Submit a memorandum (as early in the negotiation process as possible) according to Attachment 4 for Congressional notification if cancellation costs could exceed \$750,000. After the notification period is complete (SAF/AQCO memo says 45 days) and the civil engineers have accepted the Phase II Report/proposal, issue the contract task order for Phase III work. Include AFCESA/CESM on the distribution list to receive a copy of each task order cover page (with appropriate dollar amounts included), Exhibit A, Exhibit B, Exhibit C, Exhibit K and all subsequent amendments/modifications. Task Orders awards and numbering follow the procedures outlined in the DOD FAR Supplement Appendix G for issuing orders against contracts awarded by other activities unless otherwise directed otherwise by the RCO.

HQ AFCESA/CESM

Records appropriate data in the ESPC database and forward a copy of the task order cover page to the RCO.

Attachments:

1. RESPC Map
2. Letter to Request Ordering Authority
3. Sample Ordering Authority Letter
4. SAF/AQC Memo, 3 Nov 97

AFCESA POCs:

Mr. K. Quinn Hart	DSN	523-6361	quinn.hart@afcesa.af.mil
Mr. Joe Price	DSN	523-6481	joe.price@afcesa.af.mil
Ms. Susan Anderson	DSN	523-6012	susan.anderson@afcesa.af.mil
Mr. Tim Adams	DSN	523-6168	tim.adams@afcesa.af.mil
Mr. Rich Bauman	DSN	523-6206	rich.bauman@afcesa.af.mil
Ms. Linda Sisk	DSN	523-6220	linda.sisk@afcesa.af.mil

The map displays the six regions of the National Fire Protection Association (NFPA) and the locations of ESPC Awarded stations. The regions are color-coded and numbered:

- Region 1 (Noreasco):** 15 Bases, located in the Northeast.
- Region 2 (Trigen):** 12 Bases, located in the Midwest.
- Region 3 (Noreasco):** 13 Bases, located in the North.
- Region 4 (Erie):** 14 Bases, located in the Southeast.
- Region 5 (Honeywell):** 16 Bases, located in the West.
- Region 6 (Siemens):** 9 Bases, located in the South.

The map also shows the locations of ESPC Awarded stations, marked with yellow stars. A legend in the bottom right corner indicates that white squares represent Regional Contracts Office and yellow stars represent ESPC Awarded stations.

Sample Letter to Request Ordering Authority

Date

MEMORANDUM FOR HQ AFCEA/CESM
139 Barnes Drive Suite 1
Tyndall AFB FL 32403-5319

FROM Base Contracting Officer

SUBJECT: Delegation of Ordering Authority for Region X ESPC

1. XXXXXXXX AFB, State, requests delegation of Regional ESPC ordering authority for the contracting officers identified below under the Air Force Region X ESPC.

<u>NAME</u>	<u>TITLE</u>	<u>DSN PHONE</u> <u>Trained</u>	<u>DSN FAX</u> <u>Method</u>	<u>E-Mail</u>	<u>Date</u>
Primary					
XXXXXXXXXXXX	XXXXXXXX XXX-XXXX	XXX-XXXX	XXXXXXXXXXXXXXXXXXXX	XX XXX XX	XXXXXXX
Alternate					
XXXXXXXXXXXX	XXXXXXXX XXX-XXXX	XXX-XXXX	XXXXXXXXXXXXXXXXXXXX	XX XXX XX	XXXXXXX

2. Civil Engineering points of contact for this effort are:

<u>NAME</u>	<u>TITLE</u>	<u>DSN PHONE</u> <u>Trained</u>	<u>DSN FAX</u> <u>Method</u>	<u>E-Mail</u>	<u>Date</u>
Primary					
XXXXXXXXXXXX	XXXXXXXX XXX-XXXX	XXX-XXXX	XXXXXXXXXXXXXXXXXXXX	XX XXX XX	XXXXXXX
Alternate					
XXXXXXXXXXXX	XXXXXXXX XXX-XXXX	XXX-XXXX	XXXXXXXXXXXXXXXXXXXX	XX XXX XX	XXXXXXX

3. Questions can be addressed to **Name** at DSN xxx-xxxx or e-mail XXXXXXXXXXXXXXXX.

Signature
Title

MEMORANDUM FOR *Requesting Installation Contracting Officer*

FROM: *Regional Contracting Officer*

SUBJECT: Appointment of Decentralized Ordering Official – Contract #_____

1. Upon the recommendation of HQ AFCESA/CESM and in accordance with Section H, paragraph H-3 of subject contract, the attached Procedures for Implementing Air Force Regional Energy Savings Performance Contracts (RESPC) and Associated Task Orders, and AFFARS 5316.505-90 you are appointed as a Decentralized Ordering Official for this contract (copy attached at enclosure 1). Your appointment will become effective upon your completing the receipt acknowledgment found at the end of this appointment letter. Your appointment will remain effective, unless sooner revoked, until expiration of the contract (twenty-five years from date of award or until reaching the contract maximum), or until you are reassigned or your employment is terminated. You are accountable to this office for all actions related to this contract. Technical oversight and assistance will be provided by AFCESA/CESM, the Air Force Regional Energy Savings Performance Contracts (RESPC) Program Manager.

2. Authority, Limitations and Requirements. Your appointment is subject to the following requirements and limitations:

(a) You will adhere to the procedures found in enclosure 2. Prior to allowing the contractor to proceed with any Phase II work you shall notify the Regional Contracting Officer (RCO) and AFCESA/CESM of the estimated total amount of the potential task order and request approval to proceed and assignment of a RESPC tracking number.

(b) You are responsible for ensuring funds are available for current year payments and actions are taken to ensure that out year funding is included in the annual budgeting process.

(c) Prior to issuing task orders in an amount greater than previously approved by the RCO, you must notify the RCO and AFCESA/CESM of the dollar amount to be cited on the task order. (NOTE: If task order modifications subsequently change the task order amount you must coordinate with the RCO and AFCESA/CESM)

(d) You may place task orders in accordance with your certificate of appointment as a contracting officer and within the maximum amount of approved contract headroom assigned for a specific task order by the RCO. Task order performance periods shall not extend beyond the contract expiration date.

(e) You are responsible for task order administration to include:

(1) Proper distribution of task order documents with the RCO receiving a copy of the task order cover sheet showing the assigned RESPC tracking number, dollar amount and performance period.

(2) Implementing adequate controls to ensure that contractor performance is adequately monitored to fully ensure the safety and protection of Air Force personnel and property.

(3) Ensuring the procedures for measurement and verification of savings are adequate and followed, including the required annual reconciliation of projected versus actual equipment performance.

(4) Promptly reporting unsatisfactory contractor performance to the appropriate RCO and AFCESA/CESM.

(5) You may not make any modification or changes to contract F04626-98-D0103, nor may you include any terms or conditions in any task orders that conflicts with the basic contract. In the event of conflicts between a task order and contract F04626-98-D0103 the contract shall prevail.

(f) The authority granted in this appointment may not be redelegated to any other person.

3. Standards of Conduct and Contracting Action Reporting Requirements.

(a) You shall comply with the standards of conduct prescribed in DoD 5500.7-R.

(b) You shall furnish the undersigned and the contracting officer such information as may be required for contracting action reporting purposes in the manner and the time specified.

4. Termination of Appointment.

(a) Your appointment may be revoked at any time by the undersigned authority or successor and shall be terminated in writing. Upon reaching the contract maximum of \$250,000,000 the RCO will notify you in writing that no future work may be directed that could result in contract cost.

(b) Should you be reassigned from your present position or separated from Government service while this appointment is in effect, you shall promptly notify the appointing authority in writing. Your appointment will be revoked if you are reassigned and shall automatically be terminated on the date of your reassignment or separation from Government service, if it is not sooner revoked.

5. Acknowledgment of Receipt. This delegation shall become effective upon receipt by the undersigned of your acknowledgment and acceptance of this appointment and the above outlined conditions. Your signature also serves as certification that you have read and understand the contents of DoD 5500.7-R.

You may fax the completed acknowledgment to the undersigned at DSN 835-XXXX. The original copy of this designation should be retained for your file.

JOHN J. DOE
Regional Contracting Officer

- 2 Encl
1. Contract # _____
2. Procedures for Implementing Air Force Regional Energy Savings Performance Contracts (RESPC) and Associated Task Orders

Receipt of this appointment and the terms of the appointment is acknowledged. I understand, accept and agree to adhere to the authorities, limitations and restrictions stated herein.

NAME (Print or Type)

SIGNATURE

RANK/GRADE

DATE

TELEPHONE

TELEFAX

Atch 4

**DEPARTMENT OF THE AIR FORCE
WASHINGTON DC**

OFFICE OF THE ASSISTANT SECRETARY

03 NOV 1997

MEMORANDUM FOR ALMAJCOM-FOA-DRU (CONTRACTING)

FROM: SAF/AQC

1060 Air Force Pentagon
Washington DC 20330-1060

SUBJECT: Congressional Reporting of Energy Savings Program Contracts (ESPC) with
Cancellation Ceilings

This policy guidance implements notification requirements for Energy Savings Program Contracts (ESPC) cited in 42 USC 8287 (<http://www.law.cornell.edu/uscode>).

A Federal agency may enter into a multiyear ESPC without funding the cancellation charges. However, for each ESPC action that contains a cancellation ceiling in excess of \$10,000,000 (Prior to FY01 this amount was \$750,000), the head of agency must give a 30 day advance written notice of the proposed contract and cancellation ceiling to the appropriate Authorizing and Appropriating Committees of Congress. To provide Congressional notice, send SAF/AQCO (Fax Commercial (703) 697-8817 or DSN 227-8817) the following data not later than 45 days prior to contract/task- order award:

(NOTE: Legislation has increased the ceiling to \$10,000,000 for congressional notification. A new letter has not been published at this time.)

NOTE: SAF/AQCO point of contact has changed to Major James Andersen. Voice phone DSN 425-7025, fax commercial 703-697-7911, fax DSN 425-7911) or e-mail james.Andersen@pentagon.af.mil.

- a. Project Title and a brief synopsis is of the type of work involved
- b. Installation where work is to be performed
- c. Anticipated award date
- d. Contract/Task- Order Period of performance
- e. Project Cancellation Ceiling Maximum
- f. Name, Telephone Number/E-Mail Address of Contracting Officer or Other Responsible Individual that can answer questions about the ESPC.

SAF/AQCO will coordinate the enclosed memo with the SAF/FMB, SAF/GCQ, AF/ILE, AFCESA/CESE and provide a finalized memo to SAF/LLP for Congressional notification.

This policy memo is effective for the remainder of FY 98 and will be incorporated into the AFFARS. Point of contact is Lt Col Hans Jerrell, SAF/AQCO. E-Mail jerrellh@ af.pentagon. mil. DSN 227-1136 or Commercial 703-697-1136.

(NOTE: SAF/AQCO point of contact has changed to Major James Andersen. Voice phone DSN 425-7025, fax commercial 703-697-7911, fax DSN 425-7911) or e-mail james.Andersen@pentagon.af.mil.

NOTE: SAF/AQC Policy Memorandum remains in effects until superseded, rescinded or incorporated into the AFFARS

//signed//

FRANK J. ANDERSON, Jr, Brig, USAF
Deputy Assistant Secretary (Contracting)
Assistant Secretary (Acquisition)

Attachment:

Sample SAF/LLP Congressional Notification Memo, undated

The Honorable (SAF/LLP Fill-in)

United States Senate/House of Representatives

Washington DC 20510

Dear (SAF/LLP Fill-in):

In accordance with 42 United States Code 8287, this is to notify you that the Air Force intends to enter into a multiyear Energy Savings Program Contract with a cancellation ceiling in excess of \$10,000,000 (Prior to FY01 this amount was \$750,000). This contract, which will provide (Insert Title Project) at (Insert Installation) is expected to be awarded on (Insert Date) or not later than 30 days after Congressional notification. The energy savings project will extend for a period of (Insert Total Number of years) years. The maximum cancellation ceiling/liability is (Insert Total Cancellation Liability Amount).

(SAF/LLP Signs)